

STATE OF ALASKA
DIVISION OF
GOVERNMENTAL COORD.

Unocal Alaska

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UNOCAL 

Charles A. Pierce, III
Vice President

December 13, 2001

Mr. Randy Bates
Division of Governmental Coordination
Office of the Governor
P.O. Box 110030
Juneau, Alaska 99811-0030

**Re: Comments on October 1, 2001 Draft Proposed
Alaska Coastal Management Program
Implementation Regulations (6 AAC 50)**

Dear Mr. Bates:

Unocal Alaska appreciates the opportunity to comment on the October 1, 2001, draft of the Alaska Coastal Management Program (ACMP) Implementation Regulations (6 AAC 50) and recognizes the significant effort that DGC staff have invested in this rule-making process.

DGC stated in the Public Notice of September 27, 2001, that the intent of revising 6 AAC 50 was to "clarify...and make the chapter more concise, orderly and easier to understand". Regrettably, this goal has not been accomplished by the Agency's efforts to date. In fact, proposed revisions further erode clarity and predictability of a process with far reaching impacts to the economic well-being of all Alaskans.

When competing internally for capital investment dollars, we must be able to easily determine the following:

- Does the ACMP regulatory program apply to the proposed project?
- What information must be submitted for an application to be complete?
- What standards will be applied to the consistency review of the proposed project?
- How long will it take to obtain a consistency determination?

Unocal has concluded, through review of the proposed regulations and through experience with the existing ACMP program, that none of these four basic questions can be answered. In addition, the proposed regulations seek to codify the practice of imposing requirements that no individual agency is authorized to impose, requirements which are commonly referred to as "homeless stipulations". The proposed regulations continue to defy legislative intent that the program address "direct and significant impacts" upon coastal resources rather than every activity that "may affect any coastal use or resource". The regulations as proposed create so many redundant opportunities for schedule slippage that review time cannot be predicted within any reasonable range.

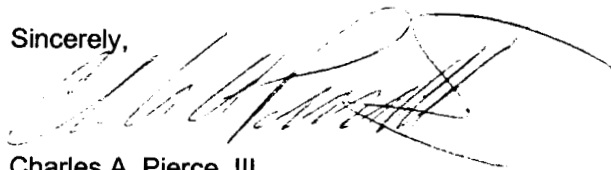
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These and other critical concerns are addressed in the comments submitted by the Alaska Oil & Gas Association ("AOGA") of which Unocal is a member. Unocal fully supports the comments of AOGA and endorses the specific edits of draft regulations included in their Attachment 2.

Unocal recognizes that DGC and other stakeholders face a serious challenge because after much time and effort the current draft regulations do not achieve the stated goals of the Agency. Alaska cannot sustain further degradation of its regulatory reputation by adoption of ACMP regulations as drafted. For these reasons, Unocal supports adoption of the AOGA comments, or a negotiated rulemaking process to move these regulations forward.

We look forward to working with you to create a regulatory climate in Alaska that protects coastal resources, allows for appropriate development in the coastal zone, enables investment in the State, and fosters a climate which advances the economic interests of Alaskans.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles A. Pierce, III', with a large, sweeping flourish extending to the right.

Charles A. Pierce, III

cc: Faye Sullivan
Marc Bond
Kevin Tabler
Harry Eaton
Julia Belli